

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>LUTHER JAMES CLAYTON,</b>	:	
	:	
<b>Petitioner,</b>	:	<b>Case No.: 5:06-cv-126 (CAR)</b>
	:	
<b>v.</b>	:	
	:	
<b>DEPUTY WARDEN WICKER,</b>	:	
	:	
<b>Respondent.</b>	:	

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***ORDER ON THE UNITED STATES MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION***

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 15] to dismiss the above-captioned petition for federal habeas corpus relief as untimely filed pursuant to the AEDPA's one-year statute of limitations. Petitioner filed no objection to the Recommendation. Having considered the matter, the Court agrees with the Recommendation. Accordingly, the Recommendation that Respondent's Motion to Dismiss be granted is

**HEREBY ADOPTED AND MADE THE ORDER OF THE COURT.**

**SO ORDERED**, this 2<sup>nd</sup> day of November, 2006.

S/ C. Ashley Royal  
C. ASHLEY ROYAL  
UNITED STATES DISTRICT JUDGE

SSH